

Application No. 10/716,825  
Amendment and Reply to Office Action of November 18, 2008

Docket No.: MIN-P01-042

### AMENDMENTS TO THE CLAIMS

This listing of claims will replace all prior versions and listings of claims in the application:

#### **Listing of Claims:**

1. (Currently amended) A method for diagnosing an oral cancer in a patient, comprising:
  - a) obtaining a biological sample from a patient;
  - b) determining the expression level of a plurality of genes associated with an oral cancer in the biological sample, thereby producing a test expression profile, wherein the plurality of genes ~~are at least 40 genes selected from SEQ ID NOs: 1-43~~ have GenBank Accession Nos. X76029, U34252, U47011, M34309, U58970, D42047, M69177, X02419, X78932, Z78289, U46689, Y09616, M57731, M14200, U07969, M74558, S45630, Z29083, U56814, X15183, U59919, M19961, HG3549-HT3751, U18934, X87241, J04469, M11147, U19345, L14848, D13643, U06643, X98085, M28825, M61855, U24577, HG2992-HT5186, Z78285, D79994, L19593, M30818, U67963, U11877, X07695, D43968, and X12451; and
  - c) comparing the test expression profile with at least one signature expression profile from a patient known to have an oral cancer, wherein said signature expression profile consists of said plurality of genes and is indicative of an oral cancer,wherein if the test expression profile substantially matches said signature expression profile, the patient has the oral cancer.
2. (Withdrawn) The method of claim 1, wherein the expression level is protein expression level.
3. (Withdrawn) The method of claim 2, wherein proteins are isolated from the biological sample before their expression levels are determined.
4. (Withdrawn) The method of claim 2 or 3, wherein the protein level is determined by a method selected from: immunoassay, protein array and single molecule detection.

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5. (Original) The method of claim 1, wherein the expression level is mRNA expression level.
6. (Currently amended) The method of claim 5, wherein ~~nucleic acids~~ the mRNAs are isolated from the biological sample before their expression levels are determined.
- 7-9. (Cancelled)
10. (Original) The method of claim 1, wherein the biological sample is selected from: saliva, tissue, bone marrow aspirates, bone marrow biopsies, lymph node aspirates, lymph node biopsies, serum, and fine needle aspirates.
11. (Cancelled)
12. (Withdrawn) A method of allowing a dentist to provide for detection of oral disease at the

PAGE 5/5 \* RCVD AT 2/13/2009 4:50:34 PM [Eastern Standard Time] \* SVR:USPTO-EFXRF-4/9 \* DNIS:2738300 \* CSID:6172354767 \* DURATION (mm-ss):09-52.

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